

IN THE UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF WEST VIRGINIA CHARLESTON DIVISION Case No. 2:00-0200

In the Matter of the Complaint of Shelly Materials, Inc. as Owner of the M/V DIRK TAYLOR, Official No. 608017, for Exoneration From or Limitation of Liability

WILLIAM JOSEPH DAPPER AND KATHY JENNE'S MOTION FOR LEAVE TO REPLY TO SHELLY MATERIALS, INC.'S MOTION TO STRIKE JURY

Dapper and Jenne, by and through counsel, respectfully request that this Court grant Dapper and Jenne leave to file a reply to Defendant, Shelly Materials, Inc.'s Motion to Strike Jury. A copy of Dapper and Jenne's Reply Brief is attached hereto.

WHEREFORE, Dapper and Jenne respectfully request that the Court grant them leave to reply to Shelly Materials, Inc.'s Motion to Strike Jury

RESPECTFULLY SUBMITTED, this 19 day of project , 2001.

WINTER, JOHNSON & HILL, P.L.L.C. Nancy C. Hill P. O. Box 2187 Charleston, WV 25328-2187

STEWART AND DeCHANT CO., L.P.A. Attorneys for William Joseph Dapper and Kathy Jenne

Scott E. Stewart (0015022) 1370 Ontario Street, Suite 1440 Cleveland, OH 44113-1701

(216) 781-2258 (216) 781-8210 FAX

CERTIFICATE OF SERVICE

A copy of the foregoing Dapper and Jenne's Motion for Leave to Reply to Shelly Materials, Inc.'s Motion to Strike Jury has been served, by regular U.S. mail, on this 19 day of 1/2001.

> Scott H. Kaminski, Esq. Flaherty, Sensabaugh & Bonasso P.O. Box 3843 Charleston, WV 25338-3843

E. Spivey Gault, Esq. Gault, Marshall & Miller P.O. Box 30 Paducah, KY 42002-0030

> E. Stewart (0015022) Counsel for Dapper and Jenne